

0821-06

IFW

USSN 10/607,538  
Atty. Dkt. No. 058951-0167**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Caius Rommens *et al.*  
Title: PRECISE BREEDING  
Appl. No.: 10/607,538  
Filing Date: 06/27/2003  
Examiner: David T. Fox  
Art Unit: 1638  
Confirm. No. 5766

<b>CERTIFICATE OF EXPRESS MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EL 962424211US (Express Mail Label Number)	8/30/06 (Date of Deposit)
Abiodun Arorhi (Printed Name)	
 (Signature)	

**SUPPLEMENTAL RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated May 23, 2006, concerning the above-referenced patent application. Since Applicants timely filed their response on August 23, 2006, they believe no extension of time or fee is needed to accompany this supplemental paper. Nevertheless, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

**Remarks** begin on page 2.

**REMARKS**

Applicants filed a *bona fide* response to the non-final office action on August 23, 2006. Applicants append a courtesy copy of that filing to this supplemental paper.

The Declaration under 37 C.F.R. §1.132 that was filed at that time, inadvertently omitted the Declarant's signature. Applicants therefore resubmit an identical and executed copy of that Declaration to be matched with the Patent Office's file wrapper.

Applicants invite Examiner Fox to contact the undersigned by telephone if he has any questions or to expedite any aspect of prosecution.

Respectfully submitted,

Date August 30, 2006  
FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5483  
Facsimile: (202) 672-5399

By V.S. Mohan-Ram  
Richard C. Peet, Reg. No. 35,792  
Vid Mohan-Ram, Reg. No. 55,459



Receipt of the following is hereby acknowledged by the stamp below.

Title: **PRECISE BREEDING**

Inventor(s): Caius Rommens et al.

Dkt. No. 058951-0167

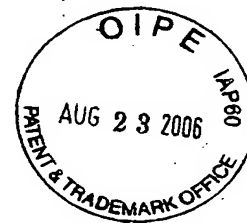
Appl. No.: 10/607,538

RCP (8/23/06)

- Amendment (24 pgs.);
- Amendment Transmittal (3 pgs.);
- Terminal Disclaimer with Exhibits A-B (31 pgs.)
- Declaration (unsigned) with Exhibits 1-5 (26 pgs.)
- Credit Card Payment Form for \$130.00 (1 pg.).

Due Date: 8/23/06  
Date Filed: 6/27/06

Attorney Initials: RCP/VSM  
Insp. By:





Atty. Dkt. No. 058951-0167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Caius Rommens et al.  
Title: PRECISE BREEDING  
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Filing Date: 6/27/2003  
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EL 962424168US (Express Mail Label Number)	8/23/06 (Date of Deposit)
Charles J. Schreck (Printed Name)	
Charles J. Schreck (Signature)	

AMENDMENT TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- ☐ Assertion of Small Entity status is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	17	-	44	=	0	x	\$50.00	=	\$0.00
Independent Claims:	2	-	17	=	0	x	\$200.00	=	\$0.00

First presentation of any Multiple Dependent Claims:	+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL				= \$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$130.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$130.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$130.00

A credit card payment form in the amount of \$130.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date August 23, 2006

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5483  
Facsimile: (202) 672-5399

By V.S. Peet

Richard C. Peet, Reg. No. 35,792  
Vid Mohan-Ram, Reg. No. 55,459